

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DOC #:
DATE FILED: 12/11/19

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MICHELE LANHAM,

Plaintiff,

-against-

LUMENIS INC., et al.,

Defendants.
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ORDER

19 Civ. 24 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

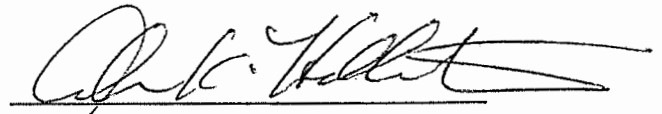
The following rulings respond to the parties' joint letter of December 9, 2019 (ECF No. 60), pursuant to Rule 2.E of my Individual Rules of Practice.:

1. Whether served promptly or late, defendants have the duty to respond to plaintiff's discovery requests, as required by Federal Rules of Procedure 33 and 34. Similarly, plaintiff has the duty to respond to defendants' discovery requests. The responses of both parties will be due January 3, 2020. No adjournments will be granted.
2. Defendants shall be permitted to take a second deposition of plaintiff. The deposition shall be limited to questions arising from the forthcoming discovery responses.
3. Plaintiff shall produce her tax returns, her medical records for the years identified on the subpoena served by defendants, and documents relating to Aerolase. Production shall be made by January 3, 2020. No adjournments will be granted. The depositions sought by defendants of plaintiff's accountant and doctors are denied without prejudice to renewal after inspection of the tax returns and medical records she produces.
4. A stipulation of confidentiality shall be filed by December 20, 2019.

5. As to Aerolase, the parties shall endeavor to schedule a deposition by agreement, between January 3 and 24, 2020. If agreement is not forthcoming by December 20, 2019, defendants may proceed by subpoena.
6. It is obvious that there have been discovery abuses by both sides. Both sides seek to cover up their respective abuses by long and tedious arguments, excessive to the issues presented to me. Any continuation of this conduct will merit sanctions.

SO ORDERED.

Dated: December 11, 2019
New York, New York

A handwritten signature in black ink, appearing to read 'Alvin K. Hellerstein', written over a horizontal line.

ALVIN K. HELLERSTEIN
United States District Judge